

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

JOHN BARNHARDT, et al.,)	
)	
Plaintiffs,)	
)	
and)	
)	
UNITED STATES OF AMERICA,)	Civil Action No. 4:65-cv-01300-HTW-LRA
)	1300(E)
Plaintiff-Intervenor,)	
)	
v.)	
)	
MERIDIAN MUNICIPAL SEPARATE)	
SCHOOL DISTRICT, et al.,)	
)	
Defendants.)	
)	

**MOTION FOR A STAY OF
BARNHARDT v. MERIDIAN MUNICIPAL SEPARATE SCHOOL DISTRICT
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay in the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for several other Executive agencies, including the federal plaintiff. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the federal plaintiff are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the case, including of the briefing on Defendant’s Motion to Deem its Motion for Unitary Status as

Confessed as to the Department of Justice (ECF No. 140) filed on December 21, 2018, until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations, including the deadline to respond to Defendant's Motion to Deem its Motion for Unitary Status as Confessed as to the Department of Justice (ECF No. 140) filed on December 21, 2018.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the case in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

ERIC S. DREIBAND
Assistant Attorney General
Civil Rights Division
SHAHEENA SIMONS, Chief
RENEE M. WOHLLENHAUS, Deputy Chief
Educational Opportunities Section

/s/ Aria S. Vaughan
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CERTIFICATE OF SERVICE

I hereby certify that I have this day filed a true and correct copy of the above document with the Clerk of Court using the CM/ECF system, which caused notice of service to be served on all registered counsel of record.

/s/ Aria S. Vaughan
Aria S. Vaughan